

The Office Action

Claims 8-11 were indicated as allowed.

Claims 3-7 and 13 were indicated to contain allowable subject matter and would be allowable if re-written in independent form.

Claims 1 and 2 were rejected under 35 U.S.C. § 103(a) as being unpatentable over **Katayama** - U.S. Patent No. 6,226,034 in view of **Leeds et al.** - U.S. Patent No. 5,760,607.

Claim 12 was rejected under 35 U.S.C. § 102(b) as being anticipated by **Goetz, et al.** - U.S. Patent No. 4,134,683.

Claims 12 and 14 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 41 of U.S. Patent No. 6,163,377 in view of **Goetz, et al.** - U.S. Patent No. 4,134,683.

Remarks

This Amendment is responsive to the Office Action of **November 8, 2001**. Reexamination and reconsideration of **claims 1-17** is respectfully requested.

Dependent **claims 3 and 13** were indicated to contain allowable subject matter. These claims have been re-written into independent form including the limitations from their base claim. Thus, independent **claim 3** (and its dependent **claims 4-7**) and independent **claim 13** (and its dependent **claim 14**) are now in condition for allowance.

Independent **claim 1** has been amended to include subject matter from **claim 13**. Namely, a means for accumulating the data for a selected time period. None of the references of record teach or suggest the combination recited in **claim 1**. Claim 1 as well as its dependent claims 2 and 15-17, thus, patentably distinguish over the references of record.

The Examiner will note that **Claim 12** has been cancelled. Thus, the double patenting rejection is no longer applicable.

Conclusion

For the reasons set forth above, **claims 1-11 and 13-17** patentably and unobviously distinguish over the references of record and are now in condition for allowance. An early allowance of all claims is earnestly solicited.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Petar Kraguljac", written in black ink.

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Marked Up Version of Amended Specification:

On page 1, replace first sentence at lines 4-5 with the following sentence:

“The present application is a continuation-in-part of U.S. Application Serial Number 09/360,051 filed July 23, 1999 and now U.S. Patent Number 6,163,377 issued December 19, 2000.”

Marked Up Version of Amended Claims:

1. (Amended) A color measuring device comprising:

a housing;
a plurality of photodetectors for generating data in response to sensed light; and
a field programmable gate array for reading the data from the plurality of photodetectors in parallel and including means for accumulating the data for a selected time period.

Re-write dependent claim 3, indicated to contain allowable subject matter, into independent form as follows:

3. (Amended) A [The] color measuring device [as set forth in claim 1 further] comprising:

a housing;
a plurality of photodetectors for generating data in response to sensed light;
a field programmable gate array for reading the data from the plurality of photodetectors in parallel; and

a plurality of optical filters each being paired with one of the plurality of photodetectors, each of the filter/photodetector pairs having a responsivity which extends over different overlapping wavelength regions at longer wavelength ends of a visible spectrum.

Cancel claim 12.

Re-write dependent claim 13, indicated to contain allowable subject matter, into independent form as follows:

13. (Amended) A [The] process [as set forth in claim 12] for measuring a color of an object comprising the steps of:

filtering light from the object with a plurality of filters;

detecting the filtered light and generating a plurality of light signals representative of the filtered light detected;

reading the plurality of light signals in parallel;

wherein the reading includes accumulating the plurality of light signals for a selected time period; and

generating output signals based on the plurality of light signals read which represent the color of the object.

14. (Amended) The process as set forth in claim 13 [12] wherein the plurality of filters having a light transmission response being non-uniformly distributed across a visible spectrum and each overlapping at longer wavelengths of the visible spectrum.

Add new claims 15-17:

15. The color measuring device as set forth in claim 1 wherein said filter/photodetector pairs provide a plurality of long-wavelength-pass electro-optical filters.

16. The color measuring device as set forth in claim 1 wherein said filter/photodetector pairs are disposed in an array.

17. The color measuring device as set forth in claim 1 wherein one of said filter/photodetector pairs has a responsivity extending over an entire visible spectrum.